

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicant: | Shultz et al. |) | |
| Serial No.: | Not yet assigned |) | Attorney Docket: |
| | Div of 09/406,147 |) | 6868/81579 |
| Filed: | February 9, 2001 |) | PRO-105.0 Div I |
| For: | EXOGENOUS NUCLEIC |) | |
| | ACID DETECTION |) | Art Group: |
| Examiner: | Not yet assigned |) | Not yet assigned |
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11033 U.S. PTO
09/780863
02/09/01

INFORMATION DISCLOSURE STATEMENT

Commissioner For Patents
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. §1.97, a list of documents that may be material to the examination of this application is provided on the attached Form PTO-1449. Listed Documents A1-A20, B1-B24, C1-C60, D1, E1-E11, and F1-F35 are U.S. and foreign patents, and pertinent articles that may be relevant to the examination of the present application that were provided in the parental cases. Pursuant to 37 C.F.R. 1.98(d), it is understood that only a list of art is required inasmuch as the art has been provided and discussed previously.

Documents A1-A20, B1-B25 and E1-E11, listed on the attached Form PTO-1449, were cited and supplied to the Patent and Trademark Office in the parental application, Serial No. 09/042,287, filed March 13, 1998, the benefit of which filing date is claimed herein.

Documents C1-C60 and F1-F35, listed on the attached Form PTO-1449, were cited and supplied to the Patent and Trademark Office in the parental application, Serial No. 09/358,972, filed July 21, 1999, the benefit of which filing date is claimed herein.

Document D1, listed on the attached Form PTO-1449, was cited and supplied to the Patent and Trademark Office in the parental application, Serial No. 09/242,436, filed February 18, 1999, the benefit of which filing date is claimed herein.

Documents for which the supplied date of publication lists the year of publication without the month were published sufficiently earlier than the effective U.S. filing date and any foreign priority date, so that the particular month of publication is not in issue. Pursuant to §609 of the MPEP, it is understood that the month of publication is not required when the particular month of publication is not in issue. Where no

date is supplied, it is believed that the date of publication is not in issue.

No inferences should be drawn that the attached list represents a comprehensive investigation, or that any material disclosed is equivalent to the subject invention. In addition, none of the documents that have publication dates prior to the priority date of the above application anticipate the invention in this application.

The cited documents disclose numerous specific features. There has been no attempt to list each and every feature disclosed by each document. The Examiner is requested to review the documents and determine the extent of the materiality of the document disclosures with respect to the present invention.

The discussion of any art and the citation of any document herein is not to be construed as an admission that the art or document disclosure is necessarily within the invention field of endeavor, that the art or document disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that the art or document disclosure is otherwise necessarily prior art as

defined by the patent law with respect to the instant invention and application.

Also, there is reserved the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosures of the art and documents recited herein, that may be cited by the Examiner in rejecting a claim in the instant patent application.

The recitation herein of the art and documents is not to be construed as an assertion that more pertinent art could not possibly be in existence.

Respectfully submitted,

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CERTIFICATE OF EXPRESS MAILING

I hereby certify that this Information Disclosure Statement, together with PTO Form 1449 is being deposited with the United States Postal Service with Express Mailing Label No. EL769849422US in an envelope addressed to: Commissioner for Patents, Washington D.C. 20231 on February 9, 2001.

Edward M. Tucker

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| (Rev. 5/92) Comparable to Form PTO-1449 <div style="text-align: center;"> U.S. Department of Commerce Patent and Trademark Office </div> | Atty. Docket No. <div style="text-align: center;">PRO 105.0 (6868/75530)</div> | Serial No. <div style="text-align: center;">09/406,147</div> |
| INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) | Applicants <div style="text-align: center;">Shultz, et al.</div> | |
| | Filing Date <div style="text-align: center;">September 27, 1999</div> | Group <div style="text-align: center;">1643</div> |

1033 U.S. PTO
 09/180863
 02/09/01

U.S. PATENT DOCUMENTS

| *Examiner Initial | | Document Number | Date | Name | Class | Subclass | Filing Date If Appropriate |
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*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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| (Rev. 5/92) Comparable to Form PTO-1449 | | | | U.S. Department of Commerce Patent and Trademark Office | | Atty. Docket No. PRO 105.0 (6868/75530) | | Serial No. 09/406,147 | |
| INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) | | | | | | Applicants Shultz, et al. | | | |
| | | | | | | Filing Date September 27, 1999 | | Group 1643 | |

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| | | | | | | | Yes | No |
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| INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) | | | | Applicants Shultz, et al. | |
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| Examiner | | | Date Considered | | |
| *Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | | | | | |

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| (Rev. 5/92) Comparable to Form PTO-1449 | | U.S. Department of Commerce Patent and Trademark Office | | Atty. Docket No. PRO 102.0 (6868/75530) | | Serial No. 09/406,137 | |
| INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) | | | | Applicants Shultz, et al. | | | |
| | | | | Filing Date September 27, 1999 | | Group 1643 | |
| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) | | | | | | | |
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| *Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | | | | | | | |

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| (Rev. 5/92) Comparable to Form PTO-1449 | | U.S. Department of Commerce Patent and Trademark Office | | Atty. Docket No. PRO-105.0 (6868/75530) | | Serial No. 09/406,147 | |
|---|-----------------|--|----------|--|----------|------------------------------|--|
| INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) | | | | Applicants Shultz, et al. | | | |
| | | | | Filing Date September 27, 1999 | | Group 1655 | |
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| *Examiner Initial | Document Number | Date | Name | Class | Subclass | Filing Date If Appropriate | |
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| | F4 | 5,731,146 | 3/98 | Duck, et al. | 435 | 6 | |
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| Examiner | | | | Date Considered | | | |
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| INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) | | | | Applicants Shultz, et al. | | | | | |
| | | | | Filing Date September 27, 1999 | | | | Group 1655 | |
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